

12-17-01 A



Please type a plus sign (+) inside this box [+]

PTO/SB/05 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

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PTO



UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 05220.P002X
(maximum 12 characters)

First Named Inventor David D. Faraldo II

Title: METHOD OF AND APPARATUS FOR NOTIFICATION OF STATE CHANGES IN A MONITORED SYSTEM

Express Mail Label No. EL672754404US

PTO
10/06/01
12/17/01

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, D. C. 20231

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)
2. Applicant Claims Small Entity Status. (37 CFR 1.27)
3. Specification (Total Pages 33)
(preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference sequence listing, a table,
or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. Drawings(s) (35 USC 113) (Total Sheets 10)
5. Oath or Declaration (Total Pages 4)
 - a. Newly Executed (Original or Copy)
 - b. Copy from a Prior Application (37 CFR 1.63(d))
(for Continuation/Divisional with Box 18 completed)
 - i. DELETIONS OF INVENTOR(S) Signed statement attached deleting
inventor(s) named in the prior application, see 37 CFR 1.63(d)(2)
and 1.33(b).
 - c. Unsigned.
6. Application Data Sheet. (37 CFR 1.76)
7. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
 - c. Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. **Assignment Papers (cover sheet & documents(s))**
10. a. Separate 37 CFR 3.73(b) Statement (where there is an assignee)
- b. Power of Attorney
11. English Translation Document (if applicable)
12. a. Information Disclosure Statement (IDS)/PTO-1449
- b. Copies of IDS Citations
13. **Preliminary Amendment**
14. **Return Receipt Postcard (MPEP 503) (Should be specifically itemized)**
15. Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. **Request and Certification under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.**
17. Other: Express Mail Certificate of Mailing

18A. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

Continuation Divisional Continuation-in-part (CIP)
Of Prior Application No.: 09/703,329 Examiner Not yet assigned Group Art Unit 2152
(which is a continuation/ divisional/ CIP of prior application no. _____,
which is a continuation/ divisional/ CIP of prior application no. _____) (List entire chain of priority)

Applicant(s): Also include a Preliminary Amendment to amend the specification to claim priority.
For CONTINUATION AND DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18B. Statement under 37 CFR 3.73(b) for continuing application:

The undersigned states that NOCpulse, Inc. (name of assignee) is the assignee of the entire right, title, and interest in the accompanying patent application by virtue of an assignment recorded in the Patent and Trademark Office at Reel. No. 011514 Frame No. 0385 (or a copy of which is attached).

19. Correspondence Address

Customer Number or Bar Code Label _____
or _____ (Insert Customer No. or Attach Bar Code Label here)
 Correspondence Address Below

NAME André M. Gibbs

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

ADDRESS 12400 Wilshire Boulevard

Seventh Floor

CITY Los Angeles STATE California ZIP CODE 90025-1026

Country U.S.A. TELEPHONE (408) 720-8300 FAX (408) 720-9397

Name (PRINT/TYPE): André M. Gibbs Registration No.: 47,593

Signature: AMG Date: October 30 2001

FEE TRANSMITTAL FOR FY 2002**TOTAL AMOUNT OF PAYMENT (\$)** \$ 986.00**Complete if Known:**Application No. Not yet assignedFiling Date HerewithFirst Named Inventor David D. Faraldo IIGroup Art Unit Not yet assignedExaminer Name Not yet assignedAttorney Docket No. 05220.P002X**METHOD OF PAYMENT** (check one)

1. The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number 02-2666

Deposit Account Name _____

 Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 Applicant claims small entity status. See 37 CFR 1.27

2. Payment Enclosed: Check
 Money Order
 Other

FEE CALCULATION**1. BASIC FILING FEE**

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee	Fee	Fee	Fee
Code	(\$)	Code	(\$)
101	740	201	370
106	330	206	165
107	510	207	255
108	740	208	370
114	160	214	80
		Utility application filing fee	<u>740.00</u>
		Design application filing fee	_____
		Plant filing fee	_____
		Reissue filing fee	_____
		Provisional application filing fee	_____

SUBTOTAL (1) \$ 740.00**2. EXTRA CLAIM FEES**

	<u>Extra Claims</u>	<u>Fee from below</u>	<u>Fee Paid</u>
Total Claims 29	- 20** = 9	X \$ 18.00	= \$ 162.00
Independent Claims 4	- 3** = 1	X \$ 84.00	= \$ 84.00
Multiple Dependent			= _____

**Or number previously paid, if greater; For Reissues, see below.

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>
Fee	Fee	Fee
Code	(\$)	Code
103	18	203
102	84	202
104	280	204
109	84	209
110	18	210
		Claims in excess of 20
		Independent claims in excess of 3
		Multiple dependent claim, if not paid
		**Reissue independent claims over original patent
		**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) \$ 246.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

<u>Large Entity</u>	<u>Small Entity</u>	<u>Fee Description</u>	<u>Fee Paid</u>
Fee Code	Fee (\$)	Fee Code (\$)	
105	130	205	65 Surcharge - late filing fee or oath
127	50	227	25 Surcharge - late provisional filing fee or cover sheet
139	130	139	130 Non-English specification
147	2,520	147	2,520 For filing a request for ex parte reexamination
099	8,800	099	8,800 Request for inter parties reexamination
112	920*	112	920* Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840* Requesting publication of SIR after Examiner action
115	110	215	55 Extension for reply within first month
116	400	216	200 Extension for reply within second month
117	920	217	460 Extension for reply within third month
118	1,440	218	720 Extension for reply within fourth month
128	1,960	228	980 Extension for reply within fifth month
119	320	219	160 Notice of Appeal
120	320	220	160 Filing a brief in support of an appeal
121	280	221	140 Request for oral hearing
138	1,510	138	1,510 Petition to institute a public use proceeding
140	110	240	55 Petition to revive – unavoidable
141	1,280	241	640 Petition to revive - unintentional
142	1,280	242	640 Utility issue fee (or reissue)
143	460	243	230 Design issue fee
144	620	244	310 Plant issue fee
122	130	122	130 Petitions to the Commissioner
123	50	123	50 Processing fee under 37 CFR 1.17(q)
126	180	126	180 Submission of Information Disclosure Stmt
581	40	581	40 Recording each patent assignment per property (times number of properties)
146	740	246	370 For filing a submission after final rejection (see 37 CFR 1.129(a))
148	110	248	55 Statutory Disclaimer
149	740	249	370 For each additional invention to be examined (see 37 CFR 1.129(b))
179	740	279	370 Request for Continued Examination (RCE)
169	900	169	900 Request for expedited examination of a design application
195	300	195	300 Publication fee for early, voluntary, or normal pub.
196	300	196	300 Publication fee for republication
194	130	194	130 Request for voluntary publication or republication
098	130	098	130 Processing fee under 37 CFR 1.17(i) (except provisionals)
091	1,280	091	1,280 Acceptance of unintentionally delayed claim for priority

Other fee (specify) _____

Other fee (specify) _____

SUBTOTAL (3) \$ 0

*Reduced by Basic Filing Fee Paid

SUBMITTED BY:

Typed or Printed Name: André M. Gibbs

Signature:  Date: October 30 2001

Reg. Number: 47,593 Telephone Number: (408) 720-8300

EXPRESS MAIL CERTIFICATE OF MAILING

"Express Mail" mailing label number: EL672754404US

Date of Deposit: Oct. 30, 2001

I hereby certify that I am causing this paper or fee to be deposited with the United States Postal Service "Express Mail Post Office to Addressee" service on the date indicated above and that this paper or fee has been addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231

(Typed or printed name of person mailing paper or fee)
J. Myers

(Signature of person mailing paper or fee)
10/30/01

(Date signed)

Serial/Patent No.: <u>***</u>	Filing/Issue Date: <u>Herewith</u>
Client: <u>NOCpulse, Inc.</u>	
Title: <u>METHOD OF AND APPARATUS FOR NOTIFICATION OF STATE CHANGES IN A MONITORED SYSTEM</u>	
BSTZ File No.: <u>05220.P002X</u>	Atty/Secty Initials: <u>JCS/DEO/AMG/Im</u>
Date Mailed: <u>October 30, 2001</u>	Docket Due Date: <u>***</u>
The following has been received in the U.S. Patent & Trademark Office on the date stamped hereon:	
<input type="checkbox"/> Amendment/Response (____ pgs.)	
<input type="checkbox"/> Appeal Brief (____ pgs.) (in triplicate)	
<input type="checkbox"/> Application - Utility (____ pgs., with cover and abstract)	
<input type="checkbox"/> Application - Rule 1.53(b) Continuation (____ pgs.)	
<input type="checkbox"/> Application - Rule 1.53(b) Divisional (____ pgs.)	
<input checked="" type="checkbox"/> Application - Rule 1.53(b) CIP (<u>33</u> pgs.)	
<input type="checkbox"/> Application - Rule 1.53(d) CPA Transmittal (____ pgs.)	
<input type="checkbox"/> Application - Design (____ pgs.)	
<input type="checkbox"/> Application - PCT (____ pgs.)	
<input type="checkbox"/> Application - Provisional (____ pgs.)	
<input type="checkbox"/> Assignment and Cover Sheet	
<input checked="" type="checkbox"/> Certificate of Mailing (<u>express mail</u>)	
<input checked="" type="checkbox"/> Declaration & POA (____ pgs.)	
<input type="checkbox"/> Disclosure Docs & Qig & Cpy of Inventor's Signed Letter (____ pgs.)	
<input checked="" type="checkbox"/> Drawings: <u>10</u> # of sheets includes <u>10</u> figures	
<input type="checkbox"/> Express Mail No.: <u>EL672754404US</u> <input checked="" type="checkbox"/> Check No. <u>46216</u>	
<input type="checkbox"/> _____ Month(s) Extension of Time <input type="checkbox"/> Check No. <u>\$ 986.00</u>	
<input checked="" type="checkbox"/> Information Disclosure Statement & PTO-144 (____ pgs.) <input type="checkbox"/> Check No. _____	
<input type="checkbox"/> Issue Fee Transmittal <input type="checkbox"/> Amt _____	
<input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Amt _____	
<input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Amt _____	
<input type="checkbox"/> Petition for _____	
<input checked="" type="checkbox"/> Postcard <input type="checkbox"/> Amt _____	
<input type="checkbox"/> Power of Attorney (____ pgs.) <input type="checkbox"/> Amt _____	
<input type="checkbox"/> Preliminary Amendment (____ pgs.) <input type="checkbox"/> Amt _____	
<input type="checkbox"/> Reply Brief (____ pgs.) <input type="checkbox"/> Amt _____	
<input type="checkbox"/> Response to Notice of Missing Parts <input type="checkbox"/> Amt _____	
<input type="checkbox"/> Small Entity Declaration for Indep. Inventor/Small Business <input type="checkbox"/> Amt _____	
<input checked="" type="checkbox"/> Transmittal Letter, in duplicate <input type="checkbox"/> Amt _____	
<input checked="" type="checkbox"/> Fee Transmittal, in duplicate <input type="checkbox"/> Amt _____	
<input type="checkbox"/> Other: _____	